

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
----- X

**FILED  
CLERK**

UNITED STATES OF AMERICA,

3:10 pm, Sep 14, 2020

**APPLICATION AND ORDER  
OF EXCLUDABLE DELAY**

- against -

**U.S. DISTRICT COURT**

DANIEL MULLAN,

**EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE**

Docket no. 17-CR-495 (DRH)(SIL)

Defendant.

----- X

The United States of America and the defendant DANIEL MULLAN hereby jointly request that the time period from September 14, 2020 to October 6, 2020 be excluded in computing the time within which

- ☐ an information or indictment must be filed, or (XW)  
☒ trial of the charges against the defendant must commence. (XC)

The parties seek the foregoing exclusion of time in order because

☒ they are engaged in plea negotiations, which they believe are likely to result in a disposition of this case without trial, and they require an exclusion of time in order to focus efforts on plea negotiations without the risk that they would not, despite their diligence, have reasonable time for effective preparation for trial,

☐ they need additional time to investigate and prepare for trial due to the complexity of the case,

☒ other: competency exam conducted, District Court to review findings.

The defendant states that he has been fully advised by counsel of his/her rights guaranteed under the Sixth Amendment to the Constitution; the Speedy Trial Act of 1974, 18 U.S.C. §§ 3161-74; the plan and rules of this Court adopted pursuant to that Act; and Rule 50(b) of the Federal Rules of Criminal Procedure. The defendant understands that he has a right to be tried before a jury within a specified time not counting periods excluded.

Verbal consent on 9/14/2020 via telephone.

/s/ Michael R. Maffei and via telephone

\_\_\_\_\_  
DANIEL MULLAN

\_\_\_\_\_  
Michael R. Maffei, for U.S. Attorney, E.D.N.Y.

/s/ Nancy L. Bartling and via telephone

\_\_\_\_\_  
*Nancy L. Bartling, Counsel for Defendant*

The joint application of the United States of America and the defendant, having been heard at a proceeding on the date below, the time period from September 14, 2020 to October 6, 2020 is hereby excluded in computing the time within which ☐ an information or indictment must be filed or ☒ trial must commence. The Court finds that this exclusion of time serves the ends of justice and outweighs the interests of the public and the defendant in a speedy trial for the reasons discussed on the record and because

☒ given the reasonable likelihood that ongoing plea negotiations will result in a disposition of this case without trial, the exclusion of time will allow all counsel to focus their efforts on plea negotiations without the risk that they would be denied the reasonable time necessary for effective preparation for trial, taking into account the exercise of due diligence.

☐ they need additional time to investigate and prepare for trial due to the complexity of the case,

☒ other: \_\_ competency exam conducted, District Court to review findings. \_\_\_\_\_

**SO ORDERED.**

**Dated: Central Islip, New York  
September 14, 2020**

/s/ **STEVEN I. LOCKE**

**THE HONORABLE STEVEN I. LOCKE**  
United States Magistrate Judge